

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 79-33

ENFORCEMENT ORDER FOR ISSUANCE OF A TIME SCHEDULE

Order directing National Marine Fisheries Service-Tiburon Laboratory to comply with Requirements prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region Order No. 79-32 (NPDES Permit No. CA0037451).

The California Regional Water Quality Control Board, San Francisco Bay Region finds that:

1. This Board on March 20, 1979, adopted Order No. 79-32 prescribing waste discharge requirements for National Marine Fisheries Service - Tiburon Laboratory (hereinafter discharger) in accordance with the statutory requirements of the Federal Water Pollution Control Act and the California Water Code. The NPDES permit contains an immediate compliance date for achieving the effluent limitations as required by the Federal Act.
2. The discharger has submitted evidence which documents that the above requirements contained in Order No. 79-32 cannot be achieved.
3. The Board has notified the discharger and interested agencies and persons of its intent to adopt a time schedule for compliance.
4. The Board in a public hearing heard and considered all comments pertaining to this discharger's ability to achieve compliance.

IT IS HEREBY ORDERED, that in accordance with Water Code Section 13300 the discharger shall comply with Provision E.2 of Order No. 79-32 according to the following time schedule:

- A. The discharger shall comply with the following time schedule to assure compliance with Prohibition A.1.; Effluent Limitations B.1., B.2., B.6.; Receiving Water Limitations D.1.a., D.1.c., D.2.a., D.2.c., D.2.d., and D.2.e.; and Provision E.1. of Order No. 79-32:

<u>Task</u>	<u>Completion Date</u>
Discharger shall submit a schedule of actions to be taken to assure compliance with Order No. 79-32. The schedule shall include the following actions:	by June 1, 1979

1. Report on whether the sewage from Tiburon Laboratory Site will be pumped to another entity for treatment and discharge, or be treated in a treatment plant at Tiburon Laboratory Site.
2. Report on how the necessary construction will be financed.

TaskCompletion Date

3. If sewage is to be pumped to another entity, include dates for:
 - a. Complete all necessary agreements
 - b. Begin pump station and force main design
 - c. Complete design
 - d. Award contract
 - e. Complete construction
 - f. Full compliance
4. If sewage is to be treated in treatment plant of Tiburon Laboratory site include dates for:
 - a. Report on how 10 to 1 dilution will be documented and/or achieved
 - b. Complete any outfall improvements that may be necessary
 - c. Report on treatment plant improvements necessary to achieve compliance
 - d. Begin design for each necessary treatment plant improvement
 - e. Complete design for each necessary treatment plant improvement
 - f. Begin construction of each necessary treatment plant improvement
 - g. Complete construction of each necessary treatment plant improvement
 - h. Achieve compliance with each of the above listed requirements
 - i. Submit a contingency plan for the continuous operation of facilities

B. This Order expires on July 1, 1983.

This Board declares that it shall not undertake further enforcement action to bring the discharger into compliance with effluent limitations immediately as contained in Order No. 79-32 provided:

- a. The discharger complies fully with all terms of the time schedule contained in this Order;
- b. The discharger complies fully with all terms of the permit with the exception of Prohibition A.1.; Effluent Limitations B.1., B.2., B.6.; Receiving Water Limitations D.1.a., D.1.c., D.2.a., D.2.c., D.2.d., and D.2.e.; and Provision E.1. of Order No. 79-32.
- c. Circumstances do not occur which would warrant modification of the permit or time schedule; and
- d. Circumstances do not occur which would warrant action under Section 504 of the Federal Water Pollution Control Act.

The action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Water Pollution Control Act.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on March 20, 1979.

FRED H. DIERKER
Executive Officer